IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 607 OF 2005

Harinder Singh Matharoo ...Petitioner

Versus

Govt. of India & Ors ...Respondents

.....

Mr. Ashok Mishra, Advocate for Petitioner

Mr. D.N. Salvi, Advocate for Respondents 1 & 2.

Mr. S.R. Shinde, A.P.P. for State.

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CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 6TH OCTOBER, 2005

P. C.:-

1. Heard the learned advocate for the petitioner and Mr. Salvi, the learned counsel for respondent Nos. 1 and 2.

2. The petitioner is seeking quashing of case NO. 652/S/2000 which is pending before the learned Metropolitan Magistrate, 28th Court, Esplanade, Mumbai. The said case is under Section 8 of the Collection of Statistics Act. An affidavit has been filed by the respondent No.2 wherein it is stated that the present petitioner is not the accused in Case No. 652/S/2000. In such case the prayer of the petitioner for quashing of proceedings in respect of

the petitioner is infructuous.

3. In view of the categorical statement made on affidavit, obviously the proceedings in the said case cannot proceed in respect of the petitioner. It is made clear that the proceedings in the said case would proceed in respect of the accused mentioned in the said complaint.

4. Petition is disposed of in terms of above order.

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